IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No.1380 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 19-08-2004 in W.P.No.14694 OF 2004 on the file of the High Court.)

Between:

Mettu Ramgopal Reddy S/o Chenna Reddy
Turakapalem, Hamlet of Nallapadu, Guntur.

..... APPELLANT

AND

1 The District Collector, Guntur District, Guntur.
2 The Revenue Divisional Officer, Guntur Division, Guntur.
3 The Mandal Revenue Officer, Guntur Mandal, Guntur District.
4 Dodda Marianna, S/o. Late Polaiah,
Nalapadu, Guntur.
5 Namburu Raghunatha Rao, S/o. N. Nageswara Rao,
D. No. 11-2, Pedaparimi, Tulluru Mandal, Guntur District.

....RESPONDENTS.

Counsel for the Appellant: Mr. P.GIRISH KUMAR

Counsel for Respondent Nos.1 to 3: G.P. FOR REVENUE

Counsel for Respondent Nos.4 & 5: None appeared.

The Court made the following :

ORAL JUDGMENT: (per the Hon'ble the Chief Justice)

Order of the learned single Judge is challenged in this writ appeal. Writ petition of the appellant was dismissed by the learned single Judge. Appellant herein questioned the action of first respondent in forwarding the representation, purported to be an appeal against proceedings dated 6-7-2004 of the Mandal Revenue Officer, Guntur, to the Revenue Divisional Officer, Guntur. Learned single Judge held that such action of the District Collector in forwarding the representation to the Revenue Divisional Officer may not be a ground to entertain writ petition.

The submission of the learned counsel for the appellant is that appellant has not preferred an appeal under Section 5-B of the A.P. Rights in Land and Pattadar Passbooks Act, 1971, but has preferred a revision under Section 9 to the Collector against the order of the Mandal Revenue Officer, pursuant to which Revenue Divisional Officer has issued title deed in favour of fourth respondent.

We do not accept the submission made by the learned counsel for the appellant. The appellant has not preferred revision. On the face of it, the document shows that he has preferred an appeal against the order of the Mandal Revenue Officer under Section 5-B of the Act to the Joint Collector. Under Section 5-B of the Act, against the order of the Mandal Revenue Officer, appeal is maintainable to the Revenue Divisional Officer.

Writ Appeal, therefore, is dismissed. No costs.

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(DEVINDER GUPTA, C.J.)

15th September 2004.

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(C.V.RAMULU, J.)

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To

1 The District Collector, Guntur District, Guntur.
2 The Revenue Divisional Officer, Guntur Division, Guntur.
3 The Mandal Revenue Officer, Guntur Mandal, Guntur District.
4 Two C.Cs to Govt. Pleader for Revenue, High Court Bldgs.,

Hyderabad (OUT).

5 Two C.D. copies.